

AMENDED IN SENATE JUNE 23, 2003

AMENDED IN ASSEMBLY JUNE 2, 2003

AMENDED IN ASSEMBLY APRIL 10, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1268

**Introduced by Assembly Member Wiggins
(Coauthor: Assembly Member Firebaugh)**

February 21, 2003

~~An act relating to land use. An act to add Section 65302.4 to the Government Code, relating to land use.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1268, as amended, Wiggins. Land use.

Existing law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries that bears relation to its planning. The law requires the plan to include a specified land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, and other categories of public and private uses of land.

~~This bill would declare the intent of the Legislature to enact legislation that would address the issues of growth zones and housing.~~

This bill would require, upon the revision of a land use element of a general plan to increase the amount of land designated for residential development, a city or county to consider the need for land sufficient for the community's growth over the subsequent 20-year period. By

imposing additional duties upon local officials, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~—yes. State-mandated local program: ~~no~~—yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. It is the intent of the Legislature to enact~~
2 ~~legislation that would address the issues of growth zones and~~
3 ~~housing.~~

4 *SECTION 1. Section 65302.4 is added to the Government*
5 *Code, to read:*

6 *65302.4. Upon the revision of a land use element of a general*
7 *plan to increase the amount of land designated for residential*
8 *development, a city or county shall consider the need for land*
9 *sufficient for the community's growth over the subsequent 20-year*
10 *period.*

11 *SEC. 2. Notwithstanding Section 17610 of the Government*
12 *Code, if the Commission on State Mandates determines that this*
13 *act contains costs mandated by the state, reimbursement to local*
14 *agencies and school districts for those costs shall be made*
15 *pursuant to Part 7 (commencing with Section 17500) of Division*
16 *4 of Title 2 of the Government Code. If the statewide cost of the*
17 *claim for reimbursement does not exceed one million dollars*
18 *(\$1,000,000), reimbursement shall be made from the State*
19 *Mandates Claims Fund.*